

**SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 14, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kate DeGroot.

Approval of Journal

March 14, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

Mr. Sali asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

**OFFICE OF THE GOVERNOR
Boise**

March 13, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 23, H 24, H 25, H 138, H 182, H 103, H 162, H 22, H 164, H 165, H 166, and H 223

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 13, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1004, S 1005, S 1006, S 1007, S 1008, S 1019, S 1041, and S 1056** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1004, S 1005, S 1006, S 1007, S 1008, S 1019, S 1041, and S 1056** and, when so signed, ordered them returned to the Senate.

March 13, 2003

Mr. Speaker:

I return herewith enrolled **H 151, H 225, H 21, H 204, H 175, H 176, H 28, H 29, H 20, H 216, H 253, H 56, and H 124** which have been signed by the President.

WOOD, Secretary

Enrolled **H 151, H 225, H 21, H 204, H 175, H 176, H 28, H 29, H 20, H 216, H 253, H 56, and H 124** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 13, 2003

Mr. Speaker:

I transmit herewith **S 1149, S 1150, S 1151, S 1152, S 1153, and S 1062**, as amended, which have passed the Senate.

WOOD, Secretary

S 1149, S 1150, S 1151, S 1152, S 1153, and S 1062, as amended, were filed for first reading.

March 13, 2003

Mr. Speaker:

I return herewith **H 229, H 231, H 329, and H 92** which have passed the Senate.

WOOD, Secretary

H 229, H 231, H 329, and H 92 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 13, 2003

Mr. Speaker:

I return herewith **H 59**, as amended in the Senate, **H 195**, as amended in the Senate, as amended in the Senate, **H 194**, as amended in the Senate, and **H 255**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 59, as amended in the Senate, **H 195**, as amended in the Senate, as amended in the Senate, **H 194**, as amended in the Senate, and **H 255**, as amended in the Senate, were ordered held at the Desk.

Mr. Tilman asked unanimous consent that the House concur in the Senate amendments to **H 255**, as amended in the Senate. There being no objection, it was so ordered.

Mrs. Shepherd asked unanimous consent that the House concur in the Senate amendments to **H 195**, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

H 255, as amended in the Senate, and **H 195**, as amended in the Senate, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 14, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 366** and **H 367** and House Amendments to **H 287**, **H 144**, **H 160**, **H 167**, **H 198**, **H 17** and **H 202**.

FIELD(18), Chairman

H 367 was referred to the Education Committee.

H 366 was filed for second reading.

March 14, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 246**, **H 19**, and **H 105**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 246**, **H 19**, and **H 105**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 14, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 329**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 329**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 14, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 287**, as amended, **H 144**, as amended, **H 160**, as amended, **H 167**, as amended, **H 198**, as amended, **H 17**, as amended, and **H 202**, as amended.

FIELD(18), Chairman

H 287, as amended, **H 144**, as amended, **H 160**, as amended, **H 167**, as amended, **H 198**, as amended, **H 17**, as amended, and **H 202**, as amended, were filed for first reading of engrossed bills.

March 13, 2003

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1130**, as amended, and **S 1120** and recommend that they do pass.

SCHAEFER, Chairman

S 1130, as amended, and **S 1120** were filed for second

reading.

March 13, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1016** and **S 1093** and recommend that they do pass.

FIELD(18), Chairman

S 1016 and **S 1093** were filed for second reading.

March 13, 2003

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 334** and **S 1066** and recommend that they do pass.

BLACK, Chairman

H 334 and **S 1066** were filed for second reading.

March 13, 2003

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1051** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

S 1051 was placed on General Orders for consideration.

March 13, 2003

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1059** and recommend that it do pass.

STEVENSON, Chairman

S 1059 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 368 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO IMMUNIZATION REQUIREMENTS; AMENDING SECTION 39-4804, IDAHO CODE, TO REQUIRE NOTIFICATION OF A VACCINE RECIPIENT, TO PROHIBIT DENIAL OF ADMISSION OR SERVICES BASED UPON FAILURE TO BE IMMUNIZED.

HOUSE BILL NO. 369 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO FUNDING FOR THE DRUG COURT

AND FAMILY COURT SERVICES FUND; AMENDING SECTION 23-217, IDAHO CODE, TO REVISE THE AMOUNT OF THE SURCHARGE ADDED TO THE PRICE OF GOODS SOLD IN THE STATE LIQUOR DISPENSARY, TO MAKE TECHNICAL CORRECTIONS, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE FOR DISTRIBUTION OF CERTAIN MONEYS INTO THE DRUG COURT AND FAMILY COURT SERVICES FUND; AND AMENDING CHAPTER 16, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1624, IDAHO CODE, TO CREATE THE DRUG COURT AND FAMILY COURT SERVICES FUND AND TO SPECIFY THE USE OF FUND MONEYS.

HOUSE BILL NO. 370
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2004; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 371
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2004; AND LIMITING THE NUMBER

HOUSE BILL NO. 372
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2004; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

H 368, H 369, H 370, H 371, and H 372 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1122, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

S 1149, S 1150, S 1151, S 1152, and S 1153, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1062, as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

First Reading of Engrossed Bills

H 287, as amended, by Education Committee, was introduced, read the first time by title and filed for second reading.

H 144, as amended, by Business Committee, was introduced,

read the first time by title and filed for second reading.

H 160, as amended, **H 167**, as amended, and **H 202**, as amended, by Health and Welfare Committee, were introduced, read the first time by title and filed for second reading.

H 198, as amended, by Environmental Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 17, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 339, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1038, S 1043, and S 1064, by Transportation Committee, were read the second time by title and filed for third reading.

S 1074, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 357 and H 358, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1060, as amended, and **SCR 106**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 317, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that **H 275** retain its place on the Third Reading Calendar until Tuesday, March 18, 2003. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 360** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 360 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 360** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Cannon, Collins, Crow, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Langhorst(Wallace), Martinez, McGeachin,

Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Roberts, Robison, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 53.

NAYS -- Barrett, Campbell, Clark, Eberle, Jones, Kulczyk, Lake, Langford, McKague, Moyle, Rydalch, Sali, Smith(24), Trail. Total -- 14.

Absent and excused -- Cuddy, Ring, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 360** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that all Appropriations Committee and Finance Committee bills be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

H 262 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake and Mr. Cannon to open debate.

The question being, "Shall **H 262** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Cannon, Clark, Collins, Crow, Deal, Denney, Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Ring, Roberts, Rydalch, Sali, Schaefer, Stevenson, Tilman, Wood, Mr. Speaker. Total -- 35.

NAYS -- Andersen, Bieter, Boe, Campbell, Cuddy, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Henbest, Jaquet, Jones, Langhorst(Wallace), Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Robison, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 35.

Total -- 70.

Whereupon the Speaker declared **H 262** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

H 323 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 323** pass?"

Roll call resulted as follows:

AYES -- Andersen, Bieter, Black, Boe, Campbell, Clark, Cuddy, Deal, Ellsworth, Henbest, Jaquet, Langford, Langhorst(Wallace), Martinez, Miller, Mitchell, Naccarato, Ring, Ringo, Robison, Rydalch, Sayler, Shepherd, Skippen, Smith(30), Smylie, Snodgrass, Trail. Total -- 28.

NAYS -- Barraclough, Barrett, Bauer, Bedke, Bell, Block, Bolz, Bradford, Cannon, Collins, Crow, Denney, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, McGeachin, McKague, Meyer, Moyle, Nielsen, Raybould, Ridinger, Roberts, Sali, Schaefer, Shirley, Smith(24), Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 42.

Total -- 70.

Whereupon the Speaker declared **H 323** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Raybould, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **H 262** failed the House.

H 262 was ordered held at the Desk.

H 321 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 321** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Meyer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 321** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1078 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge and Mr. Denney to open debate.

The question being, "Shall **S 1078** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner,

Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Kulczyk, Roberts, Smith(24). Total -- 4.

Absent and excused -- Schaefer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1078** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1068 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **S 1068** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Campbell, Cannon, Clark, Collins, Crow, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Cuddy, Deal, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1068** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 228 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 228** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen,

Raybould, Ridinger, Ring, Roberts, Rydalch, Sali, Schaefer, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Bieter, Boe, Clark, Eskridge, Henbest, Jaquet, Langhorst(Wallace), Ringo, Robison, Sayler, Shepherd. Total -- 11.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 228** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1061 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **S 1061** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 69.

NAYS -- Total -- None.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1061** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1067 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1067** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst(Wallace), Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30),

Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1067** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 135 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 135**. There being no objections, it was so ordered.

The question being, "Shall **H 135** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Block, Bolz, Bradford, Collins, Cuddy, Denney, Ellsworth, Field(18), Field(23), Gagner, Garrett, Harwood, Lake, Langford, McGeachin, McKague, Meyer, Moyle, Ring, Roberts, Sali, Schaefer, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wood, Mr. Speaker. Total -- 32.

NAYS -- Andersen, Barrett, Bauer, Bieter, Black, Boe, Campbell, Cannon, Clark, Crow, Deal, Douglas, Eberle, Edmunson, Eskridge, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langhorst(Wallace), Martinez, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Robison, Rydalch, Sayler, Shepherd, Shirley, Skippen, Smith(30), Trail, Wills. Total -- 38.

Total -- 70.

Whereupon the Speaker declared **H 135** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 17, 2003. There being no objection, it was so ordered.

Mr. Denney moved that the House recess until 1:35 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:35 p.m.

RECESS

The House reconvened at 1:35 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Smith(24), Trail. Total -- 2.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 14, 2003

Mr. Speaker:

I return herewith enrolled **H 329** which has been signed by the President.

WOOD, Secretary

Enrolled **H 329** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Ms. Jaquet moved for a Call of the House. Seconded by Mrs. Boe.

Supported by less than one-third of the members present, the Speaker declared the motion failed.

Notice having been served and having voted on the prevailing side, Mr. Raybould moved that the House now reconsider the vote by which **H 262** failed the House. Seconded by Mr. Lake.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Block, Bolz, Bradford, Cannon, Clark, Collins, Crow, Deal, Denney, Eberle, Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Stevenson, Tilman, Wood, Mr. Speaker. Total -- 37.

NAYS -- Andersen, Bieter, Black, Boe, Campbell, Cuddy, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Henbest, Jaquet, Jones, Langhorst(Wallace), Martinez, Meyer, Miller, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 33.

Paired Votes:

AYE -- Moyle. NAY -- Smith(24).

AYE -- Bradford. NAY -- Trail.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared the motion to reconsider carried.

The question being, "Shall **H 262** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Cannon, Clark, Collins, Crow, Deal, Denney, Eberle, Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Roberts, Rydalch, Schaefer, Stevenson, Tilman, Wood, Mr. Speaker. Total -- 36.

NAYS -- Andersen, Bieter, Boe, Campbell, Cuddy, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Henbest, Jaquet, Jones, Langhorst(Wallace), Martinez, Meyer, Miller, Mitchell, Naccarato, Ridinger, Ring, Ringo, Robison, Saylor, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 33.

Absent and excused -- Sali. Total -- 1.

Paired Votes:

AYE -- Moyle. NAY -- Smith(24).

AYE -- Bradford. NAY -- Trail.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 262** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, March 17, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:49 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk